IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1042 OF 2005
IN
WRIT PETITION NO.6527 OF 2004

Mahadeosing P. Thakur .. Applicant
Versus
Smt.Anusayabai D. Dhumal
through L/rs. and Anr. .. Respondents

Mr.Sudhir Hardikar for applicant
None for respondents.

CORAM : S.C.DHARMADHIKARI, J
DATE : 22nd August 2005.

P.C.

. This petition has been dismissed for non prosecution by this Court on 30th August 2004. This C.A. prays for its restoration. Mr.Hardikar, learned Advocate appearing in support states that petition was placed for admission and none appeared at that stage for

respondents. He submits that applicant who is 80 years old, could not give him instructions, insofar as merits of petition are concerned. It is in these circumstances, that statement was made. In the light of the fact that applicant has made out sufficient cause for being unable to give instructions to his Advocate, petition is restored to file. C.A. granted in the aforesaid terms. Office to proceed and place the petition for admission in due course.

(S.C.DHARMADHIKARI, J)